

REMARKS

In response to the restriction requirement set forth in the December 7, 2000 Office Action, applicant elects, with traverse, for the continued prosecution of the species of pages 30-32 (see also Fig. 11). It is believed that claims 5-8 are readable upon pages 30-32 and Fig. 11. ✓

Applicant respectfully submits that claims 1-4, believed to be directed to the species of pages 20-30 (see also Fig. 5), may be searched and examined along with claims 5-8 without undue burden by the Examiner. More specifically, claims 5-8 and claims 1-4 are directed to a common object of avoiding the unwanted tendency of pits being formed off of the track center line toward the inner circumference of an optical disk due to the influence of residual heat from an adjoining inner track, thereby allowing the pits to be formed more accurately on and along the track center line.

Manual of Patent Examining Procedure (MPEP) § 803 states that, "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." Based on the foregoing, it is respectfully submitted that claims 1-4 should be searched and examined along with claims 5-8 to avoid unnecessary delay and expense to the applicant and duplicative examination by the Patent Office. Applicants respectfully requests that claims 1-4 and claims 5-8 be prosecuted together in the same application.

Claims 9-12 are being canceled without prejudice. Upon entry of this Election, claims 1-8 are the only claims pending. Applicants reserve the right to later file a divisional application directed to the non-elected, canceled claims.

Further action on the merits is respectfully requested.

Respectfully submitted,

Date: January 4, 2001

By: 

Eric S. Chen
Registration No. 43,542
Attorney for Applicant(s)

Date: January 4, 2001

By: 

Roger R. Wise
Registration No. 31,204
Attorney For Applicant(s)

725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406
Telephone: (213) 488-7100
Facsimile: (213) 629-1033